

Order

Michigan Supreme Court
Lansing, Michigan

March 31, 2015

Robert P. Young, Jr.,
Chief Justice

150414

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 150414
COA: 322472
Oakland CC: 2009-227279-FH

JAMES HENRY NELSON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 16, 2014 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Oakland Circuit Court for consideration of the defendant's motion to withdraw his guilty plea and for other relief. We clarify that our order dated February 6, 2013, in *People v Nelson*, 493 Mich 932 (2013), authorized substitute appellate counsel to pursue appellate remedies consistent with, but not limited to, filing an application for leave to appeal in the Court of Appeals. The Oakland Circuit Court shall promptly consider the defendant's motion. The parties may seek leave to appeal in the Court of Appeals from the circuit court's decision on remand. MCR 7.316(C)(7).



p0323

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 31, 2015

Clerk